

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JAN 05 2007

JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

JAMES D. LUEDTKE,  
Plaintiff,

v.

TERRY O'BRIEN, et al.,  
Defendants.

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Civil Action No. 7:06CV00714

**FINAL ORDER**

By: Hon. Glen E. Conrad  
United States District Judge

In accordance with the accompanying memorandum opinion, it is now

**ORDERED**

as follows:

1. The order granting the plaintiff's request to proceed in forma pauperis (docket #8) shall be and hereby is **VACATED**;
2. The plaintiff's motion for reconsideration shall be and hereby is **DENIED** (docket #11); and
2. This action shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915(g), and **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 4<sup>th</sup> day of January, 2007.

*[Signature]*

United States District Judge